

**REMARKS**

In light of the following remarks and above amendments, reconsideration and allowance of this application are respectfully requested.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 USC §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Amended claims 1, 3-5 and 7-9 are in this application. Claims 2 and 6 have been canceled herein. Claim 6 has been incorporated into independent claim 1. Claims 10-14 are newly added.

At page 6 of the Final Office Action of October 2, 2003 in the parent application, the Examiner objected to the specification. Specifically, the Examiner objected to the abstract of the disclosure because the Examiner indicated that the abstract was too long. The abstract has been amended herein to not exceed 150 words. Furthermore, the Examiner indicated that the trademark "Smart Capture" should be capitalized wherever it appears in the specification. The specification has been amended by capitalizing the trademark "SMART CAPTURE." Applicants therefore respectfully request that the objections to the specification be withdrawn.

At page 6 of the Final Office Action of October 2, 2003 in the parent application, the Examiner objected to the drawings. Specifically, the Examiner objected to a limitation in claims 1, 6, 7-11 and 15. The Examiner did not indicate which limitation is not shown in the drawings. Applicants assume that the Examiner was referring to the fact that two detecting means were included in claim 12. Applicants have amended claim 12 to refer to only one detecting means by rewriting claim 12 in independent form. Concerning claim 1 and referring to Fig. 8 of the drawings, the image pickup means, the detection means and the storage means are all shown as boxes 101, 102 and 105, respectively. As a result, it is believed that all the limitations of the claims are shown in the drawings. Applicants therefore respectfully request that the objection to the drawings be withdrawn.

At page 7 of the Final Office Action of October 2, 2003 in the parent application, the Examiner rejected claims 3, 4, 12 and 15 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement, stating that the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Specifically, the Examiner indicated that in no embodiment is there described, for example, detecting both a motion vector of an object and an intensity variation of light. Claim 12 has been rewritten in independent form including only one detecting means. Applicants therefore respectfully request that the 112, first paragraph, rejection applied to claims 3, 4 and 12-15 be withdrawn.

At paragraph 8 of the Final Office Action of October 2, 2003 in the parent application, the Examiner rejected claims 1, 4, 5, 10 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Brown (U.S. Patent No. 5,455,561) in view of Tellerman (U.S. Patent No. 3,664,247). Applicants respectfully traverse the rejection.

Amended independent claim 1, recites in part, “An information processing apparatus, comprising...detection means...**wherein said detection means calculates a difference value between a sum total of pixel values of all pixels of image data for one frame fetched previously by a predetermined interval of time and a sum total of pixel values of all of the pixels of image data for one frame fetched at a present point of time, and, if the difference value is greater than a reference value set in advance, determines that a variation of the state has occurred with the image pickup object and generates the trigger signal.**” (Underlining and Bold added for emphasis.)

It is respectfully submitted that the applied combination of Brown and Tellerman do not teach the above-recited feature of amended independent claim 1.

Dependent claim 6 has been canceled and added to independent claim 1. The Examiner acknowledged that claim 6 is not taught by Brown and Tellerman. Therefore amended independent claim 1 is believed to be distinguishable from the applied combination of Brown and Tellerman.

Claims 4, 5, 10 and 11 depend from amended independent claim 1 and, due to such dependency, are also believed to be distinguishable from the applied combination of Brown and Tellerman for at least the reasons previously described. Therefore, claims 4, 5, 10 and 11 are believed to be distinguishable from the applied combination of Brown and Tellerman.

Applicants therefore respectfully request the rejection of claims 1, 4, 5, 10 and 11 under 35 U.S.C. §103(a) be withdrawn.

At page 9 of the Final Office Action of October 2, 2003 in the parent application, the Examiner rejected claims 1, 3 and 6 under 35 U.S.C. § 103(a) as being unpatentable over Wootton et al. (U.S. Patent No. 5,937,092) in view of Tellerman (U.S. Patent No. 3,664,247) and further in view of Suito et al. (U.S. Patent No. 6,014,167). Applicants have canceled claim 6. Applicants respectfully traverse the rejection as applied to the remaining claims.

It is respectfully submitted that Suito is assigned to the same assignee as the present application. Because Suito would be prior art to the present application only under 35 U.S.C. 102(e), pursuant to 35 U.S.C. 103(c) Suito is not available as prior art to the present application.

Applicants therefore submit that there is no combination of references that teaches the claimed invention, and therefore respectfully request the rejection of claims 1 and 3 under 35 U.S.C. §103(a) be withdrawn.

At page 11 of the Final Office Action of October 2, 2003 in the parent application, the Examiner rejected claims 7-9 under 35 U.S.C. § 103(a) as being unpatentable over Wootton et al. (U.S. Patent No. 5,937,092) in view of Tellerman (U.S. Patent No. 3,664,247) and further in view of Suito et al. (U.S. Patent No. 6,014,167) and further in view of Conte (U.S. Patent No. 4,281,354). Applicants respectfully traverse the rejection.

As noted above, Suito is not available as prior art to the present application. Therefore, for reasons similar to those described above with regard to amended independent claim 1, amended independent claims 8 and 9 are also believed to be allowable.

Further, claim 7 depends from amended independent claim 1 and, due to such dependency, is also believed to be allowable.

Applicants therefore respectfully request the rejection of claims 7-9 under 35 U.S.C. §103(a) be withdrawn.

At page 12 of the Final Office Action of October 2, 2003 in the parent application, the Examiner rejected claims 12-14 under 35 U.S.C. § 103(a) as being unpatentable over Wootton et al. (U.S. Patent No. 5,937,092) in view of Tellerman (U.S. Patent No. 3,664,247) further in view of Suito et al. (U.S. Patent No. 6,014,167) further in view of Leone et al. (U.S. Patent No. 6,050,369) and further in view of Tumey et al. (U.S. PG-PUB 2002/0097145). Applicants respectfully traverse the rejection. The original claim 14 added in the Amendment filed on July 23, 2003 has been canceled.

As noted above, Suito is not available as prior art to the present application. Claim 12 has been rewritten in independent form including the limitation added to independent claim 1. Therefore, for reasons similar to those described above with regard to amended independent claim 1, amended independent claim 12 is also believed to be allowable.

Claim 13 depends from amended independent claim 1, and, due to such dependency, is also believed to be allowable.

Applicants therefore respectfully request the rejection of claims 12-14 under 35 U.S.C. §103(a) be withdrawn.

At page 14 of the Final Office Action of October 2, 2003 in the parent application, the Examiner rejected claim 15 under 35 U.S.C. § 103(a) as being unpatentable over Wootton et al. (U.S. Patent No. 5,937,092) in view of Tellerman (U.S. Patent No. 3,664,247) further in view of Suito et al. (U.S. Patent No. 6,014,167) further in view of Leone et al. (U.S. Patent No.

6,050,369) further in view of Tumey et al. (U.S. PG-PUB 2002/0097145) and in still further view of Conte (U.S. Patent No. 4,281,354). The original claim 15 added in the Amendment filed on July 23, 2003 has been renumbered as claim 14. Applicants respectfully traverse the rejection.

As noted above, Suito is not available as prior art to the present application. Claim 15 (now claim 14) depends from amended independent claim 1, and, due to such dependency, is also believed to be allowable.

Applicants therefore respectfully request the rejection of claim 15 (now claim 14) under 35 U.S.C. §103(a) be withdrawn.

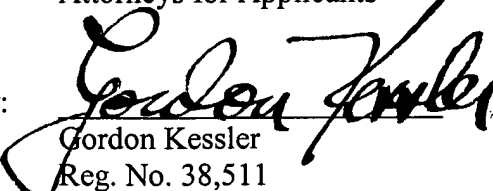
It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the applicants undersigned attorney and, in the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,

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